

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

**In re:**

**W.R. GRACE & CO., et al.**

**Debtors.**

**Chapter 11**

**Case No. 01-01139 (JKF)**

**(Jointly Administered)**

**ORDER GRANTING SIXTH QUARTERLY INTERIM APPLICATION OF  
SWIDLER BERLIN LLP AS BANKRUPTCY COUNSEL TO  
DAVID T. AUSTERN, FUTURE CLAIMANTS REPRESENTATIVE FOR  
COMPENSATION AND FOR REIMBURSEMENT OF EXPENSES FOR THE  
PERIOD JULY 1, 2005 THROUGH SEPTEMBER 30, 2005**

Swidler Berlin LLP (“Swidler”), as bankruptcy counsel to David T. Austern, the Future Claimants Representative (the “FCR”), filed its Sixth Quarterly Interim Application for allowance of compensation and reimbursement of expenses for the time period July 1, 2005 through September 30, 2005 (the “Sixth Quarterly Application”). The Court has reviewed the Sixth Quarterly Application and finds that: (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. Sections 157 and 1334; and (b) notice of the Sixth Quarterly Application, and any hearing on the Sixth Quarterly Application, was adequate under the circumstances; and (c) all persons with standing have been afforded the opportunity to be heard on the Sixth Quarterly Application. Accordingly, it is hereby

ORDERED that the Sixth Quarterly Application of Swidler is GRANTED on an interim basis. The Debtors shall pay to Swidler the sum of \$157,045.50 as compensation and \$13,177.53 as reimbursement for expenses, for a total of \$170,223.03 for services rendered and disbursements incurred by Swidler for the period July 1, 2005 through

September 30, 2005, less any amounts which may have been previously paid in connection with Swidler's monthly fee applications for this period.

Dated: \_\_\_\_\_, 2006

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United States Bankruptcy Judge